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*Attorneys for Defendant*  
Cook County Health

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

KEVIN K SHANAHAN, MICHAEL  
NEWTON, JAMES SHOFROTH, and  
ROSEMARY KERRANE, as agent in fact and  
durable power of attorney for ROBERT H.  
SPINNEY, *individually and on behalf of all*  
*others similarly situated,*

Plaintiffs,

vs.

PERRY JOHNSON & ASSOCIATES, INC.,  
NORTHWELL HEALTH, INC., SALEM  
REGIONAL MEDICAL CENTER, and COOK  
COUNTY HEALTH,

Defendants.

CASE NO. 2:23-cv-01947-RFB-DJA

**STIPULATION TO EXTEND  
DEFENDANT COOK COUNTY  
HEALTH'S DEADLINE TO RESPOND  
TO COMPLAINT**

**(SECOND REQUEST)**

1 TO THIS HONORABLE COURT, TO THE CLERK OF THE UNITED STATES  
2 DISTRICT COURT FOR THE DISTRICT OF NEVADA, AND TO ALL PARTIES  
3 THROUGH THEIR COUNSEL OF RECORD HEREIN:

4 Pursuant to Federal Rule of Civil Procedure, Rule 6(b) and Local Rule 6-1, Plaintiffs  
5 Kevin K Shanahan, Michael Newton, James Shofroth, and Rosemary Kerrane, as agent in fact  
6 and durable power of attorney for Robert H. Spinney (“Plaintiffs”) on the one hand, and  
7 Defendant Cook County Health (“CCH”) on the other hand, stipulate to an extension of time for  
8 CCH to respond to Plaintiff’s complaint in this matter due to a pending Motion for Transfer and  
9 Centralization of Related Actions to the District of Nevada (“MDL Motion”) currently before the  
10 United States Judicial Panel on Multidistrict Litigation. *See In re Perry Johnson & Assocs.*  
11 *Medical Transcription Data Security Breach Litig. (“In re PJ&A”)* MDL No. 3096, ECF No. 1.  
12 In support of this Stipulation, the Parties jointly state as follows:

- 13 1. On November 22, 2023, Plaintiffs filed their initial Complaint against CCH,  
14 Northwell Health, Inc., and Perry Johnson & Associates, Inc. (ECF No. 1.)
- 15 2. On December 4, 2023, Plaintiffs filed an amended Complaint to include Plaintiff  
16 James Shofroth and Defendant Salem Regional Medical Center. (ECF No. 13.)
- 17 3. On December 27, 2023, the Court granted a Stipulation to extend CCH’s deadline  
18 to respond to the Complaint to January 29, 2024. (ECF No. 34.)
- 19 4. A number of actions have been filed arising from the alleged data security  
20 incident announced in 2023 by Perry Johnson & Associates, Inc.
- 21 5. On December 8, 2023, Plaintiffs in several of these actions filed the MDL Motion  
22 that is pending before the United States Judicial Panel on Multidistrict Litigation. *In re PJ&A*,  
23 ECF No. 1. A hearing on the MDL Motion is set for January 25, 2024. *Id.* at ECF No. 5.
- 24 6. An extension of CCH’s deadline to answer or otherwise respond to the Complaint  
25 until after ruling on the pending MDL Motion will permit sufficient time for CCH to investigate  
26 factual and legal issues and to assess what impact, if any, the MDL Motion may have on the  
27 above-captioned action, including potential centralization.

1 7. No scheduling order has been entered in this action, thus there are no dates set for  
2 trial, motions or discovery.

3 8. This is CCH's second request for an extension of time to respond to the  
4 Complaint. This request is not for purposes of delay, and the requested extension will not  
5 prejudice any party.

6 9. By entering into this Stipulation, CCH does not waive any defenses available to it,  
7 including jurisdictional defenses.

8 10. WHEREFORE, the Parties hereby stipulate, agree and respectfully request that  
9 the Court extend the deadline for CCH to answer, move or otherwise respond to the Complaint to  
10 and including February 29, 2024.

11 Respectfully submitted,

12 Dated: January 26, 2024

**GORDON REES SCULLY MANSUKHANI, LLP**

13 By: /s/ Sean Flynn

14 Sean Flynn (SBN 15408)

15 Scott L. Schmookler (*pro hac vice*  
pending)

16 *Attorneys for Defendant*  
17 *Cook County Health*

18  
19 Dated: January 26, 2024

KEMP JONES, LLP

20 By: /s/ Don Springmeyer

21 Don Springmeyer

22 *Attorneys for Plaintiffs*

*Kevin K. Shanahan, Michael Newton,*  
*and Rosemary Kerrane*

23 **IT IS SO ORDERED:**

24 

25  
26 DANIEL J. ALBREGTS

27 UNITED STATES MAGISTRATE JUDGE

28 DATED: 1/29/2024